IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6974 OF 2005

Industrial Guards Services Private Ltd. ...Petitioner

Versus

Union of India & Anr. ... Respondents.

Mr. P. Ramaswami with Ms. Neel G. Helekar for the Petitioner

None for the Respondents.

CORAM: V.G. PALSHIKAR, Ag.C.J., &
D.B. BHOSALE, J.
DATE: NOVEMBER 14, 2005.

P.C.:-

1. By this petition, the petitioner has impugned the order dated 7th September, 2005 passed by the Employees Provident Fund Appellate Tribunal, New Delhi ('Tribunal' for short).

2. It is the contention of the petitioner that the petitioner had already deposited more than 50% of the amount found due by the Department; and there was, therefore, no factual

necessity to make a further deposit as ordered by the Tribunal by its order dated 26th April, 2005.

3. If this is factually correct, the Tribunal may have committed an error apparent on the face of record. The obvious remedy is to ask for review. That remedy has not been availed of.

4. The petition is disposed of, permitting the petitioner to avail of the remedy.

5. Parties be given authenticated copies of this order.